

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 19, 2006 PLANNING COMMISSION MEETING

PROJECT #: Street and Alley Vacation #06005

PROPOSAL: Vacate a portion of the North 62nd Street right-of-way in order to accommodate a proposed building facade renovation.

LOCATION: West side of North 62nd Street, south of Havelock Avenue.

LAND AREA: 58.875 square feet, more or less.

CONCLUSION: Vacating this right-of-way will result in an irregular right-of-way boundary, resulting in an awkward property line should this parcel ever be redeveloped. The City has used its license authority in the past to address similar construction projects through lease agreements.

<u>RECOMMENDATION:</u>	Does Not Conform to the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of the N. 62nd Street right-of-way between Havelock Avenue and the east-west alley between N. 62nd Street and N. 63rd Street, located in the NW 1/4 of Section 9-10-7, Lancaster County, Nebraska.

SURROUNDING LAND USE AND ZONING:

North:	Havelock Avenue right-of-way	
South:	North 62 nd Street right-of-way	
East:	North 62 nd Street right-of-way	
West:	Bank	B-3 Commercial

ANALYSIS:

1. This request was made based upon a proposed building facade renovation that will cause the exterior building finish to extend from 4.5 to 22.5 inches into the right-of-way. Similar situations in the past have been handled by a permit to use the right-of-way, rather than a vacation and sale of public property. The permit is a preferred alternative because it retains consistent, parallel right-of-way boundaries along this section of street, and the occupation of the right-of-way can be terminated without cost to the City should the right-of-way ever be needed for a public purpose.
2. A permit to use this right-of-way was submitted to the City Council and approved on July 10, 2006. At the hearing, the petitioner indicated that the annual renewal of the

lease and insurance certifications are too cumbersome. He suggested the possibility of an easement or longer term lease as a compromise to the vacation. Staff will examine these options and report on them to the Planning Commission and City Council.

3. Should this right-of-way be vacated, Petitioner must replace the existing sidewalk in 62nd Street and install a joint between the sidewalk and their new facade in order to protect the building in the event of future sidewalk repair.
4. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. These values must be established and deposited with the City Clerk prior to scheduling the vacation request with the City Council.

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

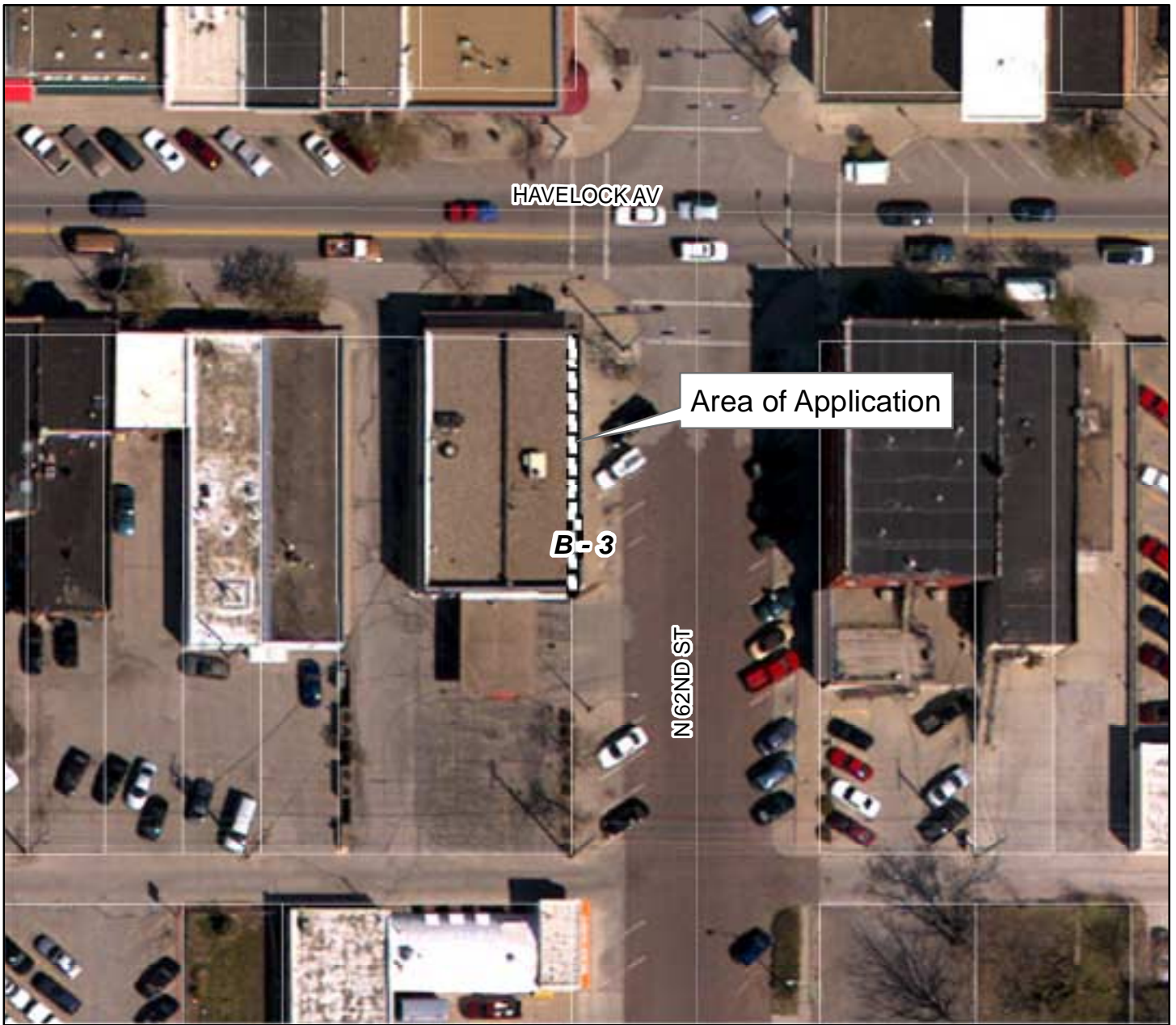
- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.
- 1.2 Replace the existing sidewalk in 62nd Street and install a joint between the building and new sidewalk, or post a bond in an amount to be determined by the Public Works Department to guarantee such work.

Prepared by:

Greg Czaplewski, 441-7620, gczaplewski@lincoln.ne.gov

Date: July 10, 2006

Petitioner,	Pinnacle Bank
Owner,	1401 "N" Street
and	Lincoln, NE 68508
Contact:	434.3140



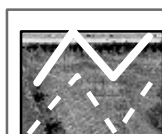
Street & Alley Vacation #06005 N 62nd St & Havelock Ave

2005 aerial

Zoning:

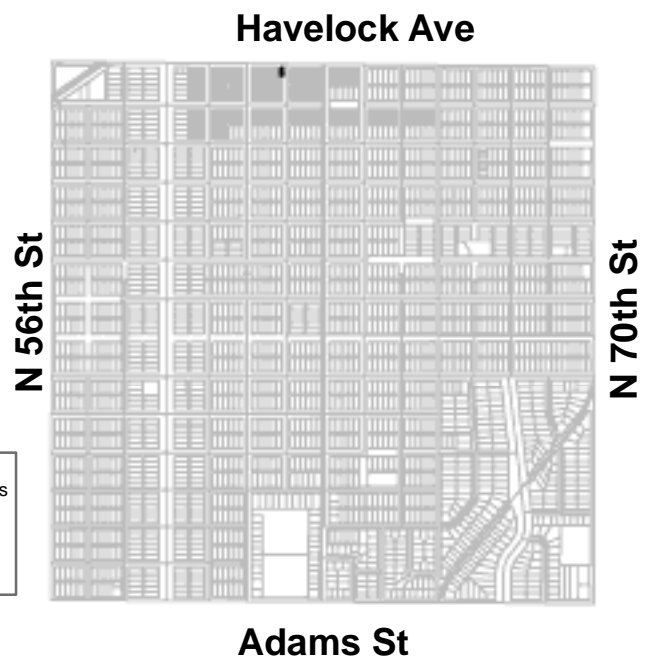
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 9 T10N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction





Michael S. Bott & Associates Architects

Suite 102 Lincolnshire Square 1540 South 70th Street Lincoln, Nebraska 68506 Ph. 402/483-4024 Fax 402/483-4488

P.C.

May 24, 2006

RECEIVED
MAY 23 2006

EXHIBIT "A"

Mr. Dennis Bartels
City of Lincoln Engineering Services
531 Westgate Blvd
Lincoln, Nebraska 68528

RE: Pinnacle Bank 6145 Havelock Use of R.O.W. Permit

Dear Mr. Bartels:

We have applied for Building Permit #B0601094 for remodeling work at the existing Pinnacle Bank at 6145 Havelock to be constructed by Cheevers Construction Company. The proposed work includes furring and an EIFS finish at the east wall along 62nd Street which would extend approximately 4.5 inches from the existing east face. It also includes a "tower" which would arch out to a maximum of approximately 22.5 inches from the existing east face.

Harry Kroos has informed us that the proposed construction along 62nd Street will require a Use of Right-of-Way Permit. On behalf of the property Owner, Pinnacle Bank, please accept this letter as application for such a permit.

Pinnacle Bank is prepared to provide Liability Insurance for not less \$500,000 and naming the City of Lincoln as an additional insured along with a bond in the amount of \$5,000. We understand provision of these two assurances would be a prerequisite to the granting of a Use of Right-of-Way Permit.

Please let us know if we need to provide any other information by way of application or if you have any other questions.

Sincerely,

Michael S. Bott & Associates Architects
By Noel Ditmars

DESCRIPTION OF REQUESTED VACATION 62nd STREET

57.75' 12.0' 12.0' 81.75'

58.875 S.F.

A parcel of land to be Vacated from North 62nd Street along the West Row line, between Havelock Avenue and the alley to the South, and more fully described as follows:

Beginning at the Northeast corner of Lot 1, Havelock Block 32, thence Northerly on a line parallel to the center line of Havelock Avenue, .5' thence on an angle to the right and parallel to the East line of said lot 1, a distance of 57.75', thence on an angle to the left, 90 degrees 1.5', thence on an angle to the right, 90 degrees, a distance of 12.0', thence on an angle to the right 90 degrees, 1.5', thence on an angle to the left, 90 degrees, a distance of 12.0', thence on an angle to the right 90 degrees, a distance of .5', to a point on the East line of said Lot 1, thence on an angle to the right along the East line of said Lot 1, a distance of 81.75' to the point of beginning. Said parcel containing 58.875 square feet.

EXISTING BANK LOT 1

HAVELOCK AVENUE

RECEIVE

JUN 22 2006

CINCINNATI/LANCASTER CO.
PLANNING DEPARTMENT

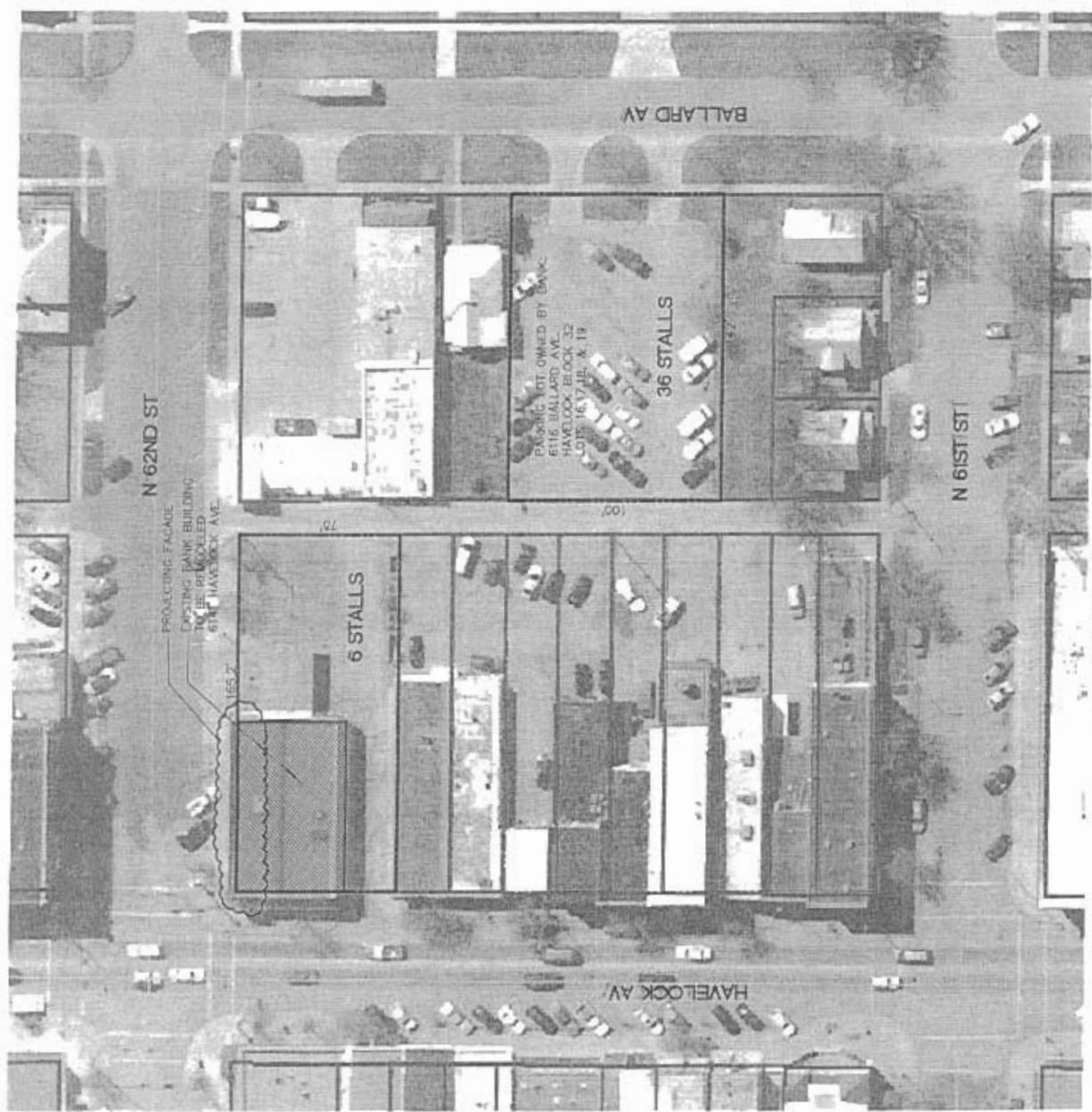
Michael S. Bott
Architect



ADDRESS:	6141 HAVELOCK AVE.
LEGAL DESCRIPTION:	AREA OF ENTIRE BUILDING: 6,850 S.F.
HAVELOCK BLOCK 32	- TOTAL REMODELED AREA: 5,440 S.F.
LOTS 1, 2, & 3	AREA OF FIRST FLOOR: 3,700 S.F.
ZONING:	- AREA REMODELED: 3,700 S.F.
B-3	AREA OF BASEMENT: 3,150 S.F.
OCCUPANCY:	- AREA OF NEW CARPET: 1,740 S.F.
B	- NON-STORAGE & MECH.: 2,440 S.F.
FIRE SUPPRESSION:	PARKING REQUIRED: 11 STALLS
NONE	PARKING PROVIDED: 42 STALLS
FIRE ALARM SYSTEM:	
NEW & REMOVE:	

SHEET SCHEDULE

- ROW1 VICINITY PLAN
- ROW2 SITE PLAN • EAST WALL
- ROW3 TYPICAL EAST WALL SECTION
- ROW4 'TOWER' SECTION
- ROW5 EAST WALL SECTION
- ROW6 NORTH CANOPY SECTION
- ROW7 EAST ELEVATION
- ROW8 NORTH ELEVATION



VICINITY PLAN

SCALE 1"=100' 0 25 50 75 100 125

62nd STREET

EXISTING TRAFFIC LIGHT
EXISTING PLANTING AREA, TYP

EXISTING PARKING STALLS

EXISTING CROSSWALK

EXISTING CROSSWALK

HAVELock AVENUE



EXISTING BANK

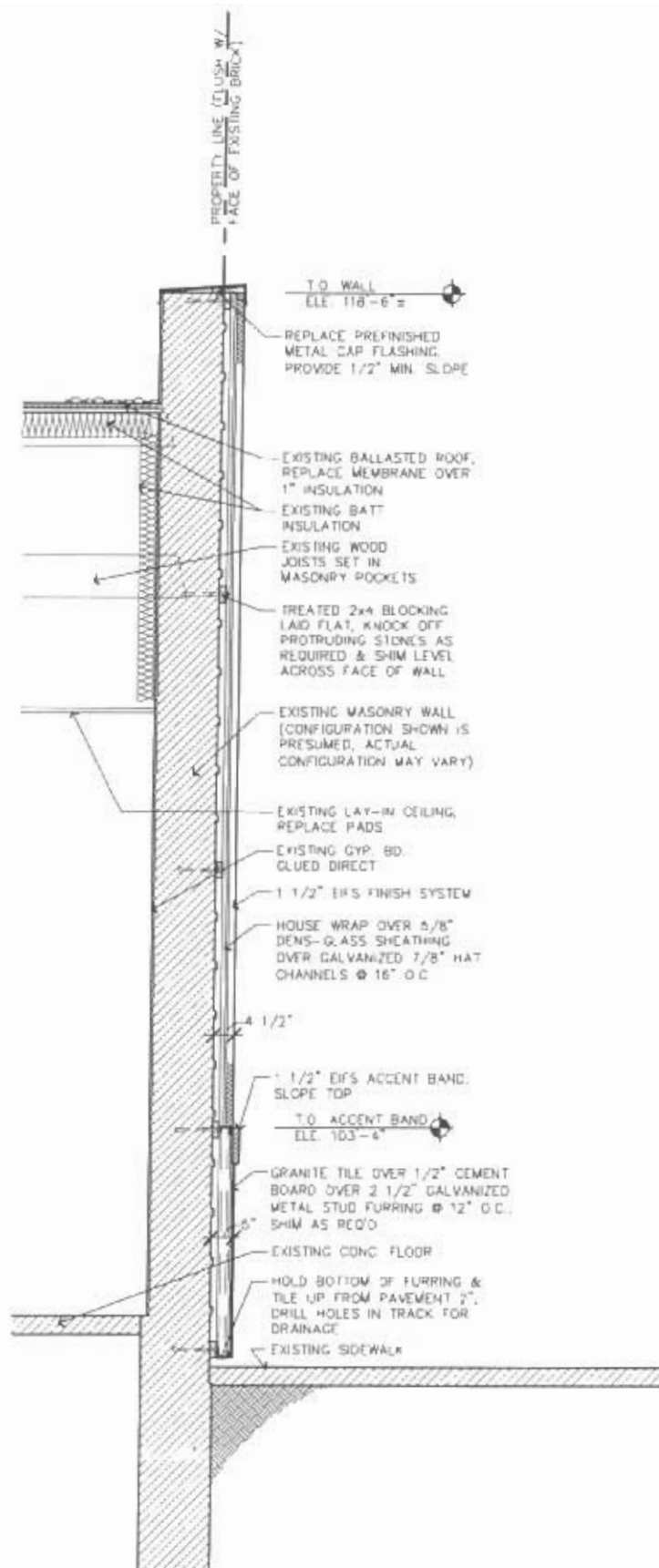
3,700 S.F.

EXISTE PLAN • EAST WALL

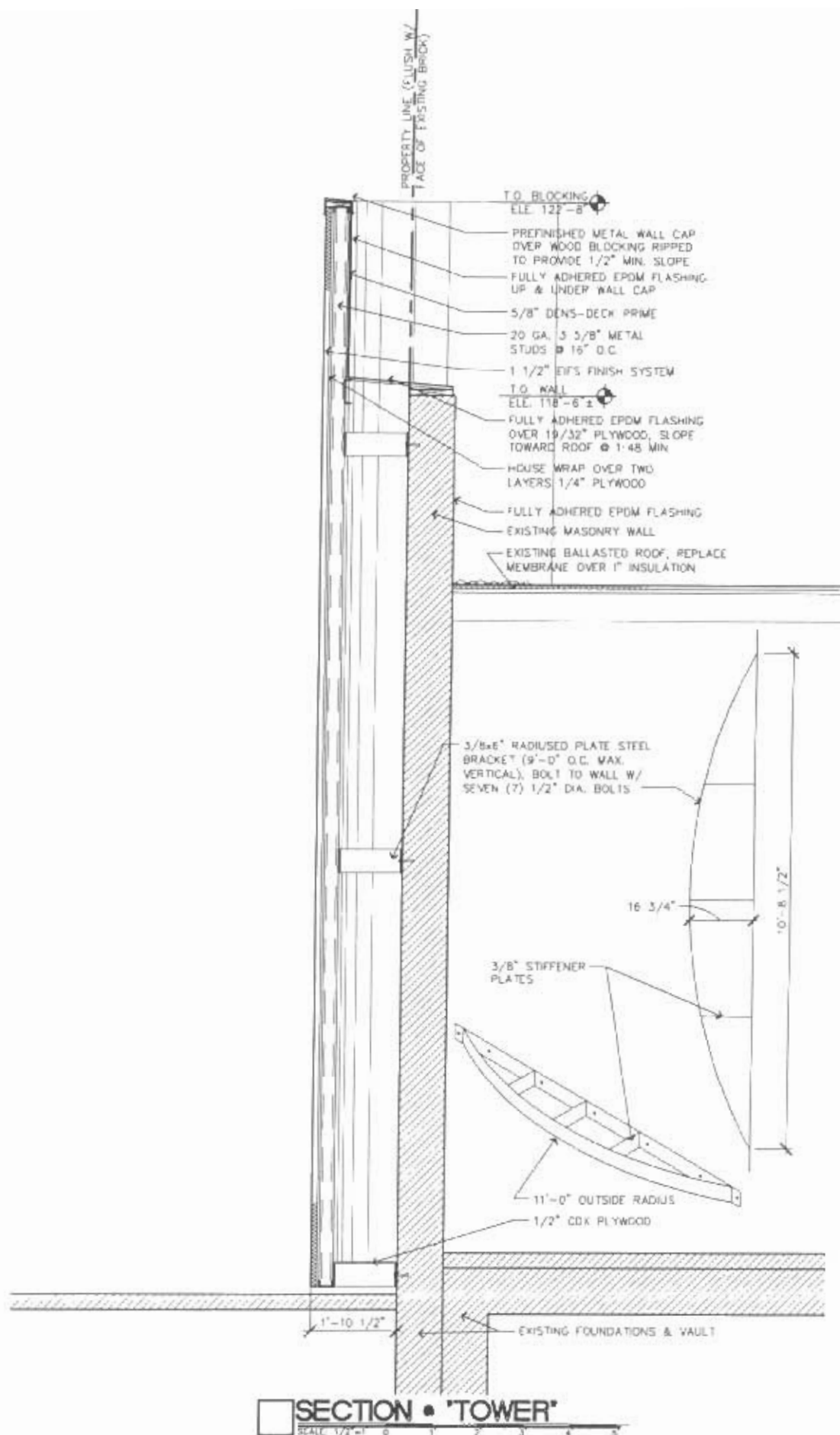
EXISTING CURB, PROTECT

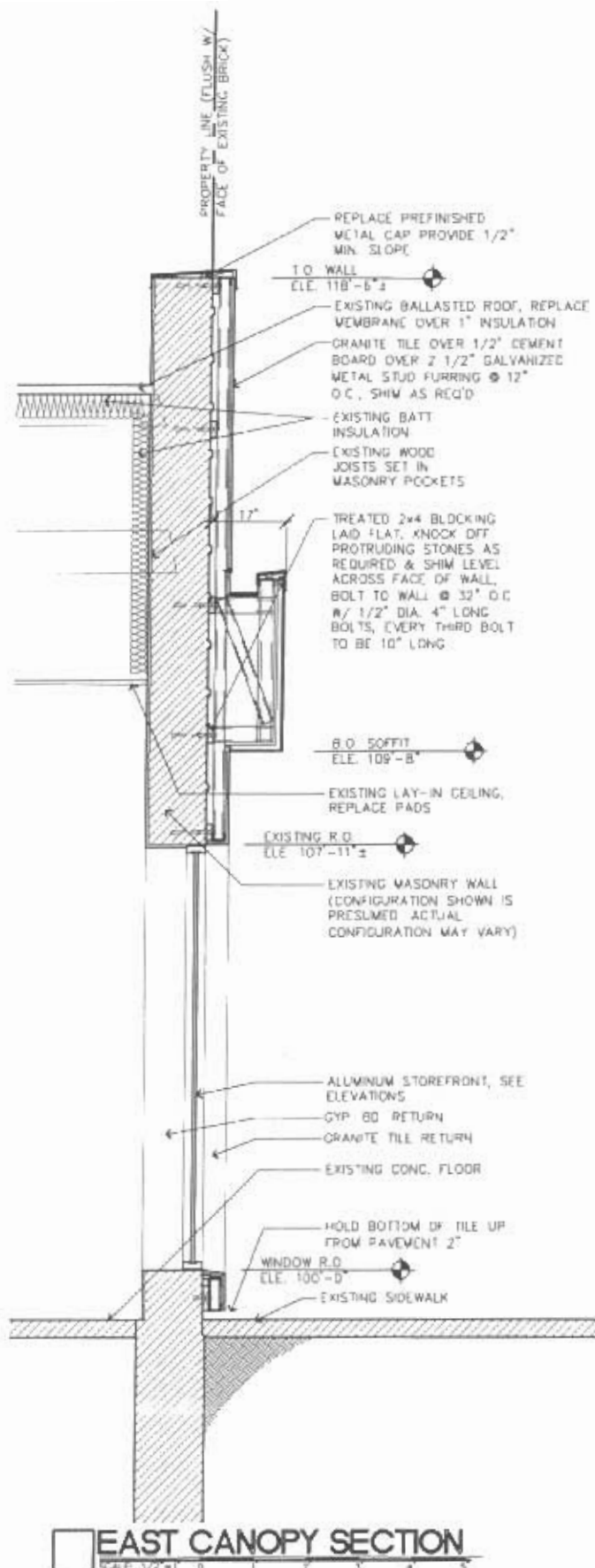
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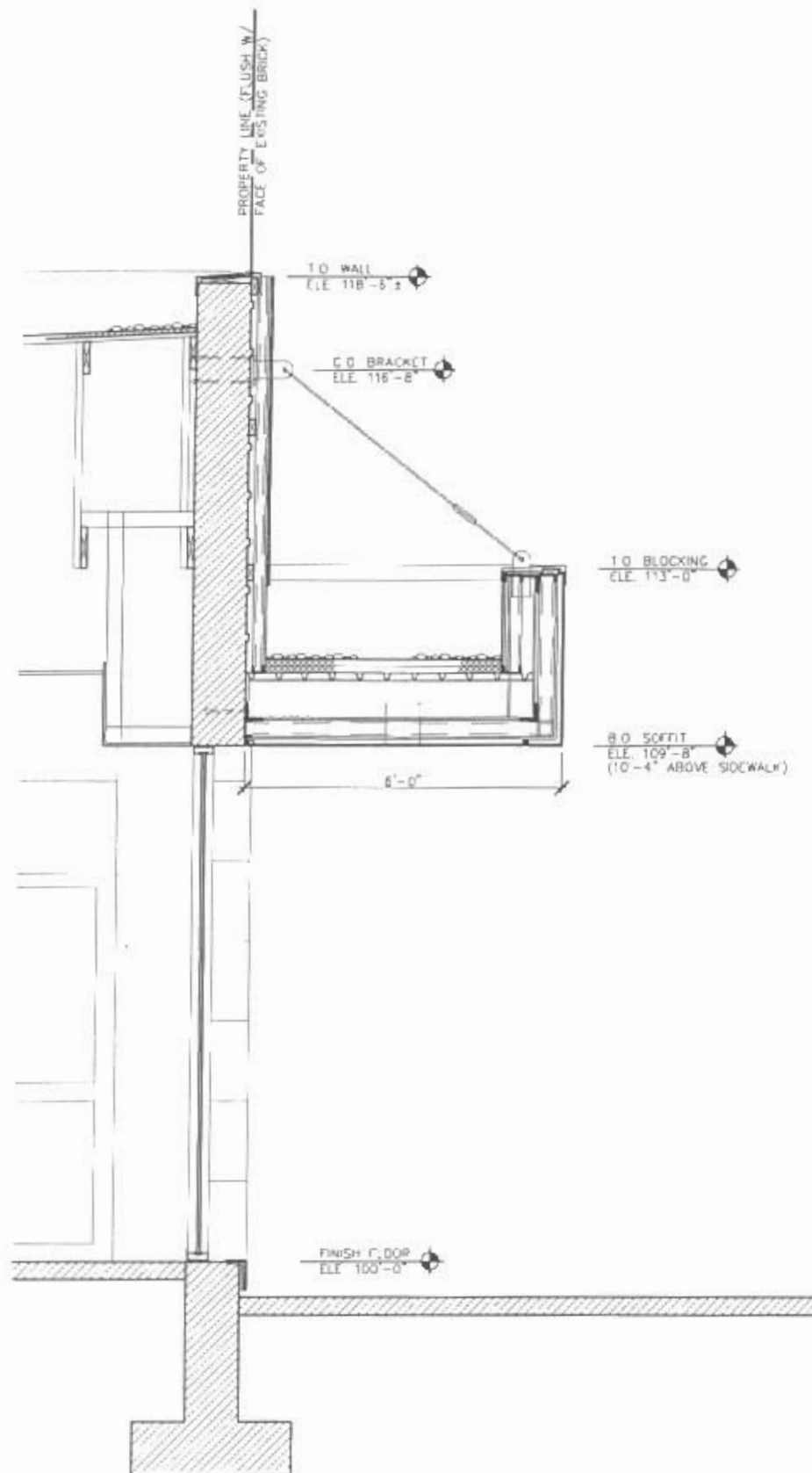
1



TYPICAL SECTION • EAST WALL
SCALE: 1/2" = 1'

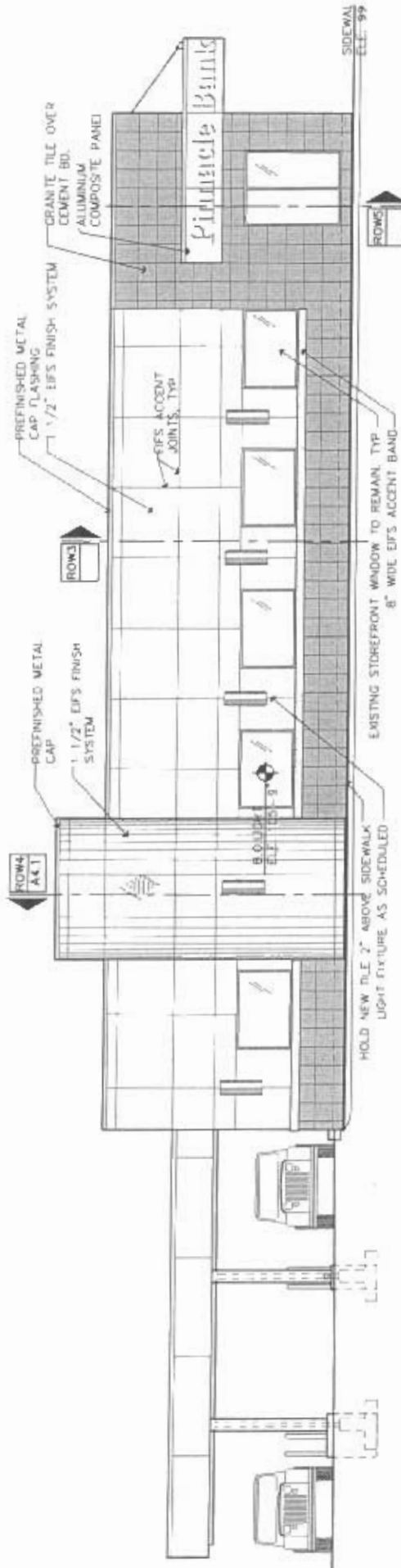






EAST CANOPY SECTION

SCALE: 1/2"=1' 0 1 2 3 4 5



EAST ELEVATION

